

The Honorable Kymberly K. Evanson

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

AHP CAPITAL MANAGEMENT LLC, an Ohio
limited liability company, as Administrator of
American Homeowner Preservation Trust Series
2015A+ and American Homeowner Preservation
Trust Series AHP Servicing,

Plaintiff,

v.

OAK HARBOR CAPITAL, LLC, a Delaware
limited liability company; LAND HOME
FINANCIAL SERVICES, INC., a California
Corporation; ATLANTICA, LLC, a Delaware
limited liability company; MAGERICK, LLC, a
Delaware limited liability company; WILLIAM
WEINSTEIN, an individual; WWR
MANAGEMENT, LLC, a Delaware limited
liability company; WESTERN ALLIANCE
BANK, an Arizona Corporation; BANNER
BANK, a Washington Bank Corporation;
BRADLEY WAITE, an individual; and DOES
1-50, inclusive,

Defendants.

NO. 2:25-cv-00007-KKE

DEFENDANTS' UNOPPOSED MOTION
EXTENDING ALL CASE DEADLINES

Defendants request an order extending all case deadlines, including the current
September 16, 2025, deadline for Defendants to answer or otherwise respond to the Amended
Complaint. All of Plaintiff's counsel have filed a motion seeking permission to withdraw (Dkt.
113). That motion is noted for hearing on September 8, 2025. Under LCR 83.2(b)(4), a business
entity "must be represented by counsel," and "[f]ailure to obtain a replacement attorney by the

1 date the withdrawal is effective may result in the dismissal of the business entity's claims for
2 failure to prosecute." Because Plaintiff's current counsel has moved to withdraw, and all three
3 law firms of record for Plaintiff seek to terminate their representation, whether or not this case
4 will be proceeding is uncertain at this time.

5 Defendants should not be required to expend the time or incur the significant expense
6 associated with renewing their prior motions to dismiss, or complying with other case schedule
7 events, when the pending withdrawal of counsel makes it unknown and uncertain regarding
8 whether replacement counsel will be appearing and whether this case will be proceeding.

9 While Plaintiff does not join in this motion, Plaintiff has indicated that it will not oppose
10 it, and a copy of this motion was provided to Plaintiff's counsel before it was filed.

11 Accordingly, Defendants request the following relief:

- 12 1. The deadline for Defendants to answer or otherwise respond to the Amended
13 Complaint should be extended. Defendants should not have to answer or
14 otherwise respond to the Amended Complaint at this time. If withdrawal is
15 allowed and replacement counsel subsequently appears, the deadline should be 30
16 days after the appearance of replacement counsel.
- 17 2. All other case deadlines should be stayed until further court order. If Plaintiff's
18 counsel is allowed to withdraw and replacement counsel appears, the case
19 deadlines should be revisited at that time.

20 This extension will facilitate orderly case management, avoid prejudice and potential
21 unnecessary expense and inconvenience to Defendants resulting from the pending withdrawal
22 motion, and fairly address the uncertainty that exists arising from the potential withdrawal of
23 Plaintiff's counsel.

DATED this 5th day of September, 2025.

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***Attorneys for Defendant Western Alliance
Bank***

ORDER

1. The Court GRANTS Defendants' unopposed motion. Dkt. No. 117.
2. The deadline for Defendants to answer or otherwise respond to the Amended Complaint is VACATED. *See* Dkt. No. 115. Defendants do not have to answer or otherwise respond to the Amended Complaint at this time. If withdrawal is allowed and replacement counsel subsequently appears, the deadline for Defendants to answer or otherwise respond to the Amended Complaint is 30 days after the appearance of replacement counsel.
2. All other case deadlines are VACATED as well. Dkt. No. 110. If Plaintiff's counsel is allowed to withdraw and replacement counsel appears, the case schedule and deadlines will be revisited at that time.

DATED this 9th day of September, 2025.



Kymerly K. Evanson
United States District Judge